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# ADDRESS

OF

His Excellency

WILLIAM CLAFLIN,

TO THE TWO BRANCHES

OF THE

Legislature of Massachusetts,

*JANUARY 6, 1870.*

BOSTON:

WRIGHT & POTTER, STATE PRINTERS,

79 MILK STREET (CORNER OF FEDERAL).

1870.



SENATE.....

.....No. 1.

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# A D D R E S S .

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*Gentlemen of the Senate, and of  
the House of Representatives :*

Assembled as representatives of the people, and acting in their name, let us make our heartfelt acknowledgments to the Author of all good, for the signal blessings so fully bestowed upon our beloved Commonwealth in the past, and invoke His counsel and wisdom for our guidance in the future.

Another year of unusual health and abundant prosperity has been granted us. The labors of the agriculturist have been rewarded by plentiful harvests; mercantile pursuits have been successful, the mechanic and artisan have fully shared in the general welfare, while the blessings of peace have been universally enjoyed by the citizens of the entire Republic.

## THE FINANCES OF THE COMMONWEALTH.

A statement of the public finances is always deeply interesting to the Legislature and the people. The indebtedness of the Commonwealth has steadily increased for ten years past, but its sinking funds, established by law for its prompt redemption, have also accumulated rapidly. The policy of providing a fund for the payment of a debt before it was issued, has been strictly adhered to for a long time, and the result shows the wisdom of this course; for the State has always had an enviable credit at home and abroad. Her bonds find ready sale in Europe, and at prices considerably higher than those of any other American securities; and here her scrip is sought for by all persons seeking places for safe investments.

I find that the funded debt of  
 the Commonwealth is . . . \$29,737,259 90  
 Temporary loans, . . . 1,086,120 12  
 Total amount of debt January 1, —————  
 1870, . . . . . \$30,823,380 02  
 Increase during the year, . . . 2,087,509 97  
 It should not be forgotten, in  
 this connection, that while the

funded debt has increased, the sinking funds established for its redemption have also increased in proportion. These

amounted, on the first of January current, to . . . \$11,476,351 27

And there is cash on hand, applicable also to the payment of the debt, amounting to .

1,054,710 51

Back Bay lands fund in the Treasury, (which may be used for this purpose,) . . .

236,922 62

These sums deducted leave an indebtedness of the State, for which still further provision is to be made, of . . .

18,055,395 56

From this last item, in order to understand the real liability of the State for principal and interest, there must be deducted the loan to the Western Railroad, (not provided for in the sinking funds,) of . . .

1,621,232 30

Loan to the Boston, Hartford and Erie Railroad, (unprovided for in the sinking funds,) . . .

2,832,154 00

Loan to the Norwich Railroad, (also unprovided for in the sinking funds,) . . . .	\$146,864 00
Loan to the Eastern Railroad, .	125,000 00
<hr/>	
Total, . . . .	\$4,725,250 30
Which leaves to be provided for by the State, principal and in- terest, the sum of . . . .	13,330,145 26
There are several other items which will ultimately reduce the debt. Among these may be mentioned the receipts for the Back Bay lands, which are estimated at . . . .	
	1,500,000 00
Land sold to the Boston and Albany Railroad, . . . .	435,000 00
And the balance of our unset- tled claims against the United States Government, which are estimated at . . . .	400,000 00

It will be readily seen from this statement that the State is obliged to pay, from current revenue and taxation, interest on about \$13,500,000. A large portion of the loan is issued



at five per cent. interest, payable in gold. This indebtedness will be increased annually for the next four years, about one million dollars, by payments to the contractors for the work on the Hoosac Tunnel, under their agreement with the Commonwealth.

This amount, with that still to be issued to Boston, Hartford and Erie Railroad, will swell the liabilities of the State to thirty-five millions of dollars. Although with the large sinking funds in the Treasury and the items which by law are pledged to those funds, the debt is not heavy when we compare the present condition of the State with that of a few years since; still, with the heavy taxation for national purposes necessarily following the war, which is seriously felt by all, the question may be asked whether it is wise for the Legislature to increase its liabilities in aid of new enterprises.

Experience shows us that a project once commenced under the patronage of the State has to be still further sustained, or large losses are almost sure to accrue to the Commonwealth and the other parties interested. The Hoosac Tunnel and Troy and Greenfield Railroad and the Boston, Hartford and Erie Railroad, open to the business of the

Commonwealth, and that of Boston, new sections of country.

For the purpose of aiding the construction of these large works, the State, in accordance with her established policy, originally granted them the use of her credit. She has been obliged to assume the whole work on the Hoosac Tunnel and the Troy and Greenfield Railroad. It seems desirable to await the result of this undertaking before entering upon any more enterprises, which, by any possibility, can be thrown upon the Commonwealth.

The aid granted for these two enterprises will amount to nearly fifteen millions of dollars as they now stand when completed. Surely if we would carefully guard the credit of the State, and, I believe, heed the wishes of our constituents, we should hesitate long before we lend the credit of the Commonwealth to any new project, however earnestly it may be pressed by its friends upon our attention. With the large number of railroads crossing the State in every direction, and these two main lines, in progress, soon to reach the Hudson River, no great suffering can be experienced by deferring the commencement of new railroads demanding the assistance of the State,

until it shall be evident that the public necessity calls for them.

These remarks by no means apply to legislation which fosters private enterprises, for it is always a wise policy, and especially so at the present time, to encourage by liberal franchise such investment of private capital, by our own citizens and others, as will tend to develop the resources or promote the commerce of the Commonwealth.

The ordinary expenses of the State

for the year ensuing are estimated

at . . . . . \$5,500,000

And the ordinary receipts from all

sources, other than by taxation, are

estimated at . . . . . 3,000,000

If no extraordinary grants are made, a tax of only \$2,500,000 will be necessary, unless further provision is made for increasing the ordinary revenue. There are new sources of wealth constantly developing, which, while sharing the benefits of government, do not share its burdens. Real estate and corporate property are taxed their full share, at all times. If other property is overlooked or allowed to bear a less percentage of taxation,

the balance must be borne by those estates which are thereby assessed for more than their fair proportion. This subject should be carefully examined by the Legislature before the tax is assessed.

#### THE HOOSAC TUNNEL.

A little more than a year ago the work on the Hoosac Tunnel was contracted to Messrs. W. & F. Shanly, of Montreal, gentlemen of high standing and great experience on public works of a similar character. They were not able to complete their arrangements until last April, when they took possession of the works and commenced operations. As nothing had been done for six months previous, much of the machinery needed repairs; the central shaft was filled with water, and the new machinery there was quite incomplete. Most of the trained workmen previously employed had been dispersed during the period of suspension. Owing to these causes, the progress of the first few months was below the average which has been more recently attained.

Under these circumstances, the Council did not think it just to the contractors to insist upon the rate of progress stipulated, until the first of July last, when an Order was passed requiring them to

perform the prescribed amount of work monthly. In July and August their estimates reached about three-quarters, and in September, five-sixths, of the required amount. The storm of October 4th stopped the work at all points, for a few days. At the east end the work was but little injured, and there was but a short delay in the usual progress at the main points. At the west end, the damage was more serious, owing to the breaking away of the embankment of a brook by the side of the brick arch. The tunnel was filled with water, which was dammed up by the earth, stones and trees brought down by the torrent. A delay of several weeks occurred before the water could be drained from the tunnel sufficiently to permit the resumption of the work. But for this interruption it is believed that the contractors would have made the required progress in October. The Messrs. Shanly have used as much diligence, perhaps, as could be expected from contractors, though not so much as was desired on the part of the authorities having the work in charge. They have constantly pressed upon the contractors the importance of greater activity, and the necessity of using the best means to facilitate the work. Recently, more energy has been shown, and at certain points the

work has advanced at the required rate for the last two months. Still, the amount of work for the past six months will fall short, according to the contract, very considerably. I am assured, however, that the contractors will soon make up the deficiency, as it is manifestly for their interest to do; and as I am happy to say, from the last two months' experience, they will evidently be able to accomplish. They have thus far fulfilled the expectations of the authorities as to the quality of the work. There has been no disposition to evade responsibility, but they have sometimes chosen a cheaper process when a more costly one would have enabled them to advance more rapidly. Undoubtedly they can save money by working at a moderate rate, and the machinery used has attained such perfection that they can finish the work easily, within the time specified in the contract. An earlier completion of this great work is of vast importance to the State. Every year's delay results in a heavy loss of interest directly, and in a great loss of profitable business which will find its way inevitably to the seaboard and to a large portion of the State, over this route.

I would suggest that some provision should be made whereby the contractors may receive additional compensation for an earlier completion of the work than the contract requires. A moderate sum would be of much importance to them, and at the same time the benefit to the State would be great, in the saving of interest, and in the advantages which would accrue to the public from an earlier opening of the route. I can safely say that there is no longer any doubt of the final completion of the Tunnel, in the minds of the authorities having this work in charge, or of those who have been conversant with it from the beginning, but have had no direct connection with it.

The disastrous flood in the Deerfield River, caused by the late freshet, occasioned much damage to the railroad. By request of the Council, Mr. Appleton, one of the Railroad Commissioners, and Mr. Field, the engineer under whose charge the road was constructed, accompanied by the committee on the Hoosac Tunnel, made a survey of the railroad from Greenfield to the east end of the Tunnel. They have made an estimate of the amount necessary to repair the damage, ordinary and extraordinary, which was caused by the freshet.

The road is in the hands of the lessees, who, until recently, have declined to make the repairs, unless large portion of the expense should be assumed a by the State. As there is no one authorized to make such an expenditure, the whole matter must come before you for action. I would suggest that the subject receive your attention at as early a day as possible, for an energetic, thriving and enterprising community, who were just beginning to appreciate the facilities for doing business enjoyed by most of the other parts of the State, are, by this calamity, suddenly thrown into a condition worse than that which existed before the construction of the railroad. Up to January 1, the Messrs. Shanly had nearly accomplished work to the amount of the guaranty-fund of \$500,000, and they will therefore be entitled to receive cash payments in accordance with their contract, for the greater part of the January work, and for all that they shall subsequently perform.

BOSTON, HARTFORD AND ERIE RAILROAD.

By Act of the Legislature (chap. 450, Acts of 1869,) the Governor and Council were authorized to issue in aid of the Boston, Hartford and Erie



Railroad Company, five millions of dollars, including the amount issued up to the time of the passage of the Act.

The company having complied with the conditions of the law in all respects, scrip has been issued in its behalf from time to time, to a sum amounting, on the first of January current, to \$3,392,840.

By the requirements of the Act the company were to give the State as security: First, A second mortgage on all of the property purchased of the Boston Wharf Company by the Railroad Company. Second, The company were to place in the hands of the Treasurer of the Commonwealth, one thousand dollars of the bonds of the mortgage to R. H. Berdell and others, as trustees, for every one thousand dollars of scrip received from the State. Third, To pay into the Treasury such sums as the Governor and Council might direct for a sinking fund, to be applied to the redemption of the scrip issued by the State.

Thus far the company have promptly complied with the conditions imposed upon them by the Legislature, and the amount paid into the sinking fund, under this arrangement, on the first of January, was \$560,686.

It will be also remembered, that one million dollars of the five is to be expended in improving the lands at South Boston, on which the State has a mortgage. It should be stated that the scrip issued to this corporation has thirty years to run, becoming due in the year 1900. If the company pay the interest on the scrip issued, according to their agreement with the Commonwealth, the amount paid into the sinking fund for the redemption of these bonds will accumulate sufficiently to redeem them at maturity without farther payment by the company. This calculation is based upon the expectation that the sinking fund will be loaned at six per cent., as has been done hitherto, by the State, with similar funds.

The work on the road has been pushed with great energy by the contractors, who are gentlemen of large personal experience, and whose professional reputations are of the highest order. They have performed their work to the satisfaction of E. S. Philbrick, Esq., the engineer employed by the Council, and his opinion in such matters is entitled to full confidence. It is the belief of those in charge of the work that it will be completed to the Hudson River and ready for business by next autumn, and possibly sooner.

## THE SOUTH BOSTON FLATS.

Much attention has been given by your predecessors to the subject of improving the South Boston Flats. Various schemes for filling them have been suggested, considered and abandoned. Propositions for their purchase have been made by corporations and individuals, to those having them in charge; but in all cases there was so little hope that the Commonwealth would ever realize any considerable amount from the sale, that they have been rejected.

The controversy with the Boston Wharf Company stood in the way of any improvement, and there seemed to be no prospect of its immediate settlement. Finally that portion in dispute passed into the hands of the Boston, Hartford and Erie Railroad, and soon after, the corporation began a negotiation with the State authorities, for a settlement of all matters in dispute between them and the Commonwealth. Early in the summer a contract was concluded, by which that corporation acquires a clear title from the State to about forty-four acres of flats, lying along Fort Channel, north of the Boston Wharf Company.

Most of this territory was in dispute occa-

sioned by the grant made to that Company, in 1855, and subsequently annulled by the Legislature of 1867. From this property the Commonwealth will realize an income on \$545,505 in three years from the first day of July last.

The Corporation has already commenced filling the flats, using for that purpose, as stipulated in the contract, material dredged from the shoals near the flats; thus accomplishing a most important work for the benefit of the harbor—an object never lost sight of by the commissioners having charge of these matters.

At last this long contemplated improvement of such moment to Boston and the Commonwealth, in the future, is fairly inaugurated, and with every prospect of its final and satisfactory completion. Negotiations which had been pending for several months with the Boston and Albany Railroad, have resulted in a sale to that corporation of fifty acres of the flats, lying east of those sold to the Boston, Hartford and Erie Railroad. The amount realized is \$435,000, payable in three years from the first day of October last.

In both instances the sea-walls in front of the land sold are to be built by the corporations purchasing, under the direction of the Board of Har-

bor Commissioners, and in accordance with plans recommended by a Board of Engineers, of the highest reputation, after the most careful and mature consideration.

The filling is also to be done under the direction of the Harbor Commissioners, so that it would seem that every necessary precaution had been taken to have the work done in the most substantial manner. Thus within three years the Treasury of the State will be in receipt of income, from the sale of less than a tenth part of these flats, on nearly one million dollars. While this seems to be a large sum for a small portion of this property, hitherto considered of doubtful value by most persons, and entirely worthless by not a few, it is believed, by those having the disposal of it, to be far less than its real value, and that the corporations purchasing will, in the end, realize a large profit if they sell it for ordinary uses. In justification of this sale it may be stated that the immediate commencement of the enterprise was of the first importance to the public, and especially if that commencement should be made by these parties who need ample accommodation for their future business, in which the people of the State have such a deep interest. That these corporations should

have an abundance of room near the great centres of trade is apparent to all; and, while the Treasury of the State will be a large gainer by the improvement of these flats, it is certain that the indirect benefit to the people of the city and State will be incalculable. It is an immense undertaking—larger than anything of the kind ever attempted by the people of this country, but one which the enterprise and energy of the Commonwealth will undoubtedly bring to a successful issue. It will be remembered that the territory intended to be filled is larger than the original size of Boston and nearly half its present area.

In order to remove all objections that might be raised to the Commonwealth's title to the flats in South Boston, the Harbor Commissioners were authorized by the last Legislature (chap. 446, Acts of 1869,) to purchase from the shore owners any lands or flats lying westerly of E Street extended. Contracts have been made with nearly all the owners for their lands and riparian rights, by which the Commonwealth acquires nearly two million feet of land for something less than two hundred and fifty thousand dollars. The Commissioners are of the opinion that ultimately no loss will be sustained

by the Commonwealth from this purchase, while all cause of litigation will be removed.

It has been the effort of the Commissioners—in which they have been cordially sustained by the Executive Council—to remove not only every legal objection which might be presented to the State's title in these flats, but also every claim which had in it a shadow of equity, so that there might be no just ground of complaint by any one hereafter. They believed it altogether more important to the State and the city of Boston to bring this large property into immediate preparation for the valuable uses to which it is, in the future, to be applied, than to save possibly a few thousand dollars after the long delays and heavy expenses, which are sure to follow litigation in such cases.

#### THE SAVINGS BANKS.

The report of the Commissioner of Savings Banks shows an increase of \$17,393,147.89 over the amount deposited the previous year. The whole amount on deposit is now \$112,119,016.64, with a reserve in addition of \$2,682,591.59.

These institutions are becoming still more the favorite places of deposit, not only for persons of small means, but also for those seeking invest-

ment for very considerable sums. The dividends paid by them from year to year are large, showing that they are managed with skill and integrity. The State has always encouraged deposits in them as furnishing the greatest security for those persons having a little money to loan, but who cannot afford the time, and have not the proper knowledge to make other investments. The prudent management of these banks has met its reward in gaining the confidence of the public to such a degree that even the capitalists use them as places of investment. So evident is it that no harm will come from this increase of deposit, but great benefit, that I again recommend the increase of the amount of deposit which may be made by any one individual to five thousand dollars.

Active capital, invested in our own State, is one great need for the increase of manufacturing enterprises. Investments in other States may pay large dividends for a time, but as a rule they are not so safe, nor in the end are they more profitable to the investor than those made in manufacturing corporations in our own State.

A million dollars invested in a manufactory here will keep the people of a large village employed,



enhance the value of property around it, and add taxable property to the Commonwealth.

The owners can then oversee and direct their corporation or company, and know whether it is carried on for their benefit or for that of some intimate friend of the superintendent, director or manager.

Every facility should be afforded our merchants and manufacturers to obtain the use of active capital. Our national banking system does not allow an increase of banks in this State, and the public have, therefore, no other resource left to obtain loans but from private banking houses, unless the larger savings banks are opened to them.

Many of these institutions now use such portion of their funds as the law allows for loans on personal security, in discounting mercantile paper; though it is doubtful if they can do so legally. This has been found not only safe and profitable, but of much service to men engaged in manufacturing and other business. There is no good reason why those desiring discounts should not have this access to the large amounts of capital placed in these banks. Very soon they will absorb a large portion of the active capital of the State,

investment of which elsewhere will be a serious loss to the commercial community. I ask a careful consideration of this whole subject.

#### VALUATION COMMITTEE.

By an Act passed April 10, 1861, (Acts 1861, Chap. 167,) entitled "An Act to secure a uniform description and appraisal of the estates in the Commonwealth for the purposes of taxation," it was provided that the Secretary of the Commonwealth shall furnish yearly to the assessors of the several cities and towns suitable blank-books for their use, "with uniform headings for a valuation list," and that the assessors shall deposit with the Secretary of State every fifth and tenth year of each decade, a certified copy, under oath, of the assessors' books of those years.

The object the Legislature had in view in making that law, was, doubtless, to furnish the means for a comparison of the valuation of the several cities and towns for those years of the decade.

From the returns thus made, the Legislature sitting in the closing year of the decade would be enabled to make the decennial valuation without delay, and thereby avoid the large expense of a

valuation committee sitting in recess. A committee of the Legislature sitting during the session will have many advantages, which are not available to one sitting in recess, as all parts of the State are fully represented, and the committee can learn from the members every particular relating to estates in the districts which they represent. The business will be done promptly, and the members will be well informed of the views of the committee, and the reasons for adopting the scale of valuation for the property of their districts.

#### EDUCATION.

The people of the State will ever feel a deep interest in the cause of education. It concerns every citizen; and he should rejoice to share the responsibility of the trust. In its prosperity is the prosperity of the State.

If the character of the public instruction is high, then will that great multitude which go forth, annually, from our public schools, to engage in the active duties of life, be fitted for the demands made upon them in this stirring and progressive age.

Every parent should feel that in the Common School System he can find that education for his child which will fit him, not only to discharge

the daily duties of life, but also to enter into the higher walks of learning, if he desires to do so.

It must not be said of us, that we are falling behind other States in our methods of instruction; in the adaptation of our buildings, or any other means or instruments of education.

Though a great advance has been made in the last twenty-five years, still there is much room for improvement.

Our instructors must be more liberally paid, so that they may feel more encouragement to prepare themselves for the duties of their profession. Let them understand that their efforts to become successful teachers are fully appreciated and compensated by the community, and then there will be no further complaint of inefficiency on their part. The Normal Schools are doing much to elevate the standard of instruction, which was the main purpose of their establishment; but yet they can do very little towards supplying the great number of trained teachers that are required. Of the seven or eight thousand teachers in our public schools, probably not over one thousand have been trained in the Normal Schools. Several of the cities and some of the towns have established Training

Schools, which are quite successful in aiding young persons in preparing to become teachers.

A large number of pupils leave the academies of the State annually, who, for a longer or shorter period, are employed as teachers in our common schools. They would be much better prepared if, before leaving school, they could have a course of training in the specific work of instruction, which is really an art to be learned.

The interests of education would be greatly promoted by a moderate appropriation from the School Fund to those academies which would establish training classes under suitable instructors, and such as have received the approbation of the Board of Education.

I find that there are in the State 270,000 persons between the ages of five and fifteen years. Of this number, 247,000 attend school a part of the year—the average attendance in winter being 200,000—showing a slight increase over former years.

The amount expended for instruction is \$3,-123,886, an increase over last year of \$273,181; making an average of \$10.85, or an increase of about 95 cents over last year, for each child in the State. No better evidence can be given of the readiness of the people to place our

schools on the highest basis, than the steady increase of the grants for their support from year to year. The best friends of education were fearful years ago, that the largest amount had been reached that could be raised by popular vote, but they have been surprised by an annual average increase of nearly \$300,000 for the four or five past years. In addition to the amount raised for instruction the last year, there have been expended in the erection and repair of school-houses, \$1,295,314. In the year 1845, my honored predecessor, Governor Briggs, estimated that the State contributed for all the purposes of public education, about \$1,000,000; but the expenditure in the State the past year, for which the people tax themselves, is over \$1,400,000. Surely we may congratulate ourselves that this is not an age of materialism with us, when the people so fully appreciate the importance of cultivating the mind.

No parent is justified in withholding from his child the benefits which he may receive from such ample provision for his education. The law passed by the Legislature, at its last session, abolishing the district system in all parts of the State, has been carried into effect, cheerfully, and with the best results.

There may be cases of hardship and inconvenience in a few instances, but a new order of things will soon be established, better suited to the wants of the time, and more in accordance with our enlightened system of public instruction.

#### PENAL AND REFORMATORY INSTITUTIONS.

The reports of the Warden and Inspectors of the State Prison, show that the affairs of that institution are managed with such skill and prudence, that the people of the State are not subjected to taxation for its support.

The number of prisoners is larger than ever before, and it has increased steadily the past year. Intemperance is always a principal cause of crime, filling all our jails and houses of correction; and any course of public policy which increases this great evil, is followed by a greater number of commitments.

The almost unrestricted sale of intoxicating liquors for the fourteen months previous to the first of July last, resulted, as usual, in an increase of crime, and consequently a larger number of prisoners. The commitments have diminished since October, indicating that the maximum has been reached, for the present. There has been no

essential change in the management of the prison the past year. The discipline has been good, as usual, and the health of the prisoners is excellent, when we consider that all imprisonment is injurious to health. The last Legislature provided for the establishment of regular instruction in the prison during the winter months. The school has been in successful operation since September; proving that a large number of the prisoners would gladly avail themselves of its privileges, if they had the opportunity. It is the duty and interest of the State to provide them ample means of instruction. This must be evident to every one, who considers that the average age of the prisoners is about twenty-four years, and that a large portion cannot read or write.

The prison is now so nearly filled, as to cause the officers in charge to consider what necessary provision can be made should there be a further increase of inmates. In this connection it becomes necessary to decide whether the present prison shall be enlarged, or a new one built in another location.

It may be found expedient for the State, and more in accordance with its spirit of reform, to establish some system of classification, whereby



those committing high crimes, and who are hardened in vice, shall be separated from criminals who are young and inexperienced. The purpose of a young man on his first commitment to a prison, is to reform; but too often he finds himself placed side by side with the most abandoned; he is looked upon with ungenerous suspicion by his former friends; and after months of imprisonment, when he might have been taught much that is good, he has learned only evil. He is thus fully prepared, on his release, for a career of crime. If a prison were established with the reformation of these offenders for its leading object, many who are now lost to society might be saved and become useful and respectable citizens. Such an institution would be an honor to the State, be in keeping with its humane and enlightened spirit, and prevent a large amount of crime. Prevention is surely better than cure.

The classification of prisoners has engaged the attention of the humane and philanthropic for a long time, and recently their attention has been called more especially to the necessity of making such arrangements in our prison system as will bring about this most desirable result. The courts, in passing sentences, often send criminals for a

longer period to the house of correction than they would to the State Prison, for the same crime; showing that the disgrace of a sentence to a prison filled with old offenders is such as induces a shortening of sentences. Hardened criminals understand this, and often ask for commitment to the State Prison, in order that they may be the sooner released, to prey upon the community. Incurrible offenders should not be allowed to teach the young and thoughtless their ways and manner of life. The State is responsible for the evil which follows from herding them indiscriminately with the novices in crime.

If, on examination, it is found that it is for the best interests of the Commonwealth to enter on the work of classification, then it will become necessary to examine into our whole system of imprisonment, with a view to its improvement.

There are now fifteen houses of correction scattered through the State, in which are about sixteen hundred inmates.

A large part of these are under sentences from six months to three years, for all sorts of offences, from simple drunkenness to high crimes against person and property. In most of the institutions these prisoners are employed by contractors, who

pay the counties for their labor from five to forty cents per day. Of course the cost of maintaining these prisoners is a heavy expense to the counties.

The labor of those who are sentenced for longer periods than six months is nearly as valuable as that of the inmates of the State Prison, if by any arrangement it could be made as available. The reason why the contractor is not willing to pay more for the labor of these men is readily seen. To make their labor valuable, workmen must become accustomed to the employments in which they are engaged. This cannot be done by those who are serving out short sentences, for the contractor has to pay the counties for their labor, with others, at the same rate.

Another serious difficulty is in the small number of prisoners in each of these institutions. If there were three or four hundred under one management, the cost of superintendence would be but slightly increased over that incurred where only fifty or sixty are confined. Those sentenced for long periods would be separated from those confined for a short time, and their labor would be made productive. All the arrangements for conducting the prison in the best manner, such as heating ventilating and guarding, would be perfected

Secular, moral and religious instruction might be provided for the inmates, with much more hope of benefiting them, than when they were confined in various institutions and under as many different managements.

Still further, in this classification, a proper place of confinement may be provided for the several hundred female prisoners now scattered through these houses of correction. It must be evident to every one that prisons adapted to the confinement of men should be very different, in their construction and management, from those which are suitable and proper for women. Oftentimes women in a most delicate state of health, and even with infants in their arms, are sentenced to these houses of correction. Surely it is not creditable to the humanity of our State, nor to its reputation, that no provision has been made earlier, to remedy this condition of our criminal institutions. This classification will enable the State to accomplish another reform which has engaged the attention of the friends of humanity for a long time.

A large number of men are sent annually to the houses of correction, for limited periods, for simple drunkenness. No other stain rests on

their good name, dear to them, and doubly dear to their wives and children. Sent to the same prison with the worst characters, humiliated by confinement even, stung, oftentimes, with remorse, these persons, many of whom never dreamed of injuring their neighbors, are ready to receive the malignant suggestions of the evil disposed and corrupt, with whom they are for the first time brought in contact. Our love of mankind should cause us to protest against a system so dangerous to all good intentions. These men should be placed where only the best influences prevail, where the spirit of reform is predominant; so that when they leave the institution, they may feel that no finger can point to them as felons.

The last Legislature authorized the appointment of a commission to consider the expediency of establishing an asylum for inebriates. The gentlemen composing that commission have given much attention to this subject, and from them you will receive trustworthy information and many valuable suggestions as to the treatment of this class of persons who, under our present system, are confined with criminals; which, to a true sense of justice, is a great wrong.

## THE STATE CHARITIES.

A department of the State, which needs the constant care of the Legislature, is that of the State Charities. Under its supervision are all the State Almshouses, the Reform School at Westborough, the Nautical School and the Lancaster Industrial School; involving an expenditure annually of nearly \$600,000.

The people of the State are ever ready to incur any expense that necessity demands, to make most ample provision for the poor and dependent classes. But they will insist that wise economy should be used in the disbursement of the large sums necessary to carry out their benevolent intentions. The establishment of the Board of Charities laid the foundation of a system which, when perfected, will be an honor to the State in its provident care of the unfortunate, and at the same time a saving of expense by its economical administration. Under this system pauperism is steadily decreasing; while those really dependent on the public for support are having more intelligent and tender care bestowed upon them. A great purpose of the Board is to take from the careless and vicious every inducement to throw the burden of their

maintenance upon the public. The various laws that have been passed to secure this object have been carefully considered and adapted to the condition of these persons.

The Board has been successful in its administration, and the result is that many dissolute persons who, when out of the public institutions, preyed upon the community, and when unable longer to sustain themselves returned to them periodically, have been greatly improved and are now useful members of society. For several years the Board has steadily pursued the policy of placing the children coming under its charge, as soon as it is proper to do so, in suitable families, where they can have parental care, and be made acquainted with the ordinary duties of life. Experience teaches us that the more nearly we can make the system of State institutions, where the young are placed, resemble that of the family, the more effective is it in the work of reformation. But there is no place so adapted to the wants of the young as the family. Acting on this policy, the State has within a few years placed in families from twenty-five hundred to three thousand children. They are the wards of the State, and it is her duty to guard their interests. A

proper supervision of this large number of persons could not be expected from the trustees of the several institutions by whose authority they were placed in these families. To provide for a suitable examination and inspection of these children at their homes, the last Legislature established, under the direction of the Board, a Visiting Agency.

The duties of the Agent are to attend the examination of the children before the magistrates, and if the decision is that they should be placed in care of the State, then, if possible, to provide suitable places for them before they are sent to the reformatories; to visit, as often as possible, each child as long as he is the ward of the State; and if his home is found to be unsuitable, then to report to the Board for its action; also to keep full and accurate records of all children in the care of the State, who come under the supervision of the Board.

This plan has worked favorably although the Agency has not been in operation more than six months. Many of the children placed under the charge of the State, go directly to good homes, from the magistrates, without ever becoming a public charge.



That this system may be fully carried out, additional authority should be given to the Agent, to appear in behalf of the children before all the courts having jurisdiction in the cases of juvenile offenders; and also to defend the State against those parties who, from motives of self-interest, endeavor, constantly, to throw the burden of their maintenance upon the Commonwealth.

#### EMIGRATION.

All foreign passengers arriving in the State, come under the supervision of the Agents of the Board of State Charities, to whom the fees for landing are paid. These fees amount to a large sum annually, and are likely to increase rather than diminish hereafter, as the number of emigrants landing at the port of Boston is steadily increasing. There is no proper provision for their comfort when they arrive, if, from sickness or other causes, they desire to remain a short time. Many come from the Continent, and, being unacquainted with our language, customs or manners of life, they desire important information, but know no one that can inform them. The Board should have authority to appoint agents who can speak the foreign languages, whose duty it shall be to give

these persons all needed information, to enable them to go safely to their places of destination, and protect them from the impositions of rapacious and vile persons who are ever ready to entrap the ignorant and unwary. Justice, as well as good policy, demands that generous care and attention should be afforded these strangers coming to enjoy the abundant blessings of our free land, to whose advancement they will very soon contribute much by their faithful industry.

GEORGE PEABODY AND JOHN CLARKE.

I should do injustice to my own feelings did I fail, on this occasion, to notice the noble and philanthropic spirit manifested by two of the sons of Massachusetts, who have terminated their earthly courses within the past year. Such examples are truly our glory and honor.

George Peabody has been a faithful representative of the people of his State and nation in a foreign land. His personal character and commercial success would command respect anywhere, but the nobleness of his nature, which led him to make such munificent and princely gifts for the benefit of his fellow-men in both hemispheres, without regard to rank or color, has given him world-wide

fame, and no title could add lustre to his name. His remains are to rest in the soil of his native State, whose people will ever honor him as the benefactor of his race. His influence survives him in the noble institutions which he founded, and generations yet unborn will bless his name and revere his memory.

While paying the tribute justly due our distinguished countryman, I would also allude to another untitled fellow-citizen, who will be remembered with ever-increasing respect for his generous gifts to a most humane and beneficent charity,—the late John Clarke, of Northampton. His donation of fifty thousand dollars in 1867 founded the School for Deaf Mutes at Northampton, which my honored predecessor, in his annual message of 1868, referred to as being, up to that time, the largest gift that the State had ever received for any similar purpose. He has added by will, to this amount, two hundred thousand dollars in gold, which will place this young and successful institution on a sound basis—an enduring monument of the broad views and generous purposes of this quiet, yet far-seeing man. Here Massachusetts may give voice to her hitherto silent children; here, especially, this unfortunate class

may enjoy the advantages of those methods of instruction now being successfully developed, and which are so interesting to all instructors of deaf mutes.

Both of these noble men furnish examples of the wisdom of beginning, in life, the work of charity which, too often, is left wholly to others, who, perhaps, do not partake of the spirit of the donors.

#### THE MILITIA.

In company with the members of my staff, gentlemen who are familiar with the details of military duty, from long and honorable service in the war, I visited the several encampments of the militia in the autumn.

It was the universal testimony that the troops were never in better condition or made a more soldierly appearance on review. Their discipline and order while in camp were highly creditable to them and honorable to the State, and there was no complaint of any irregularity outside the lines, with a single exception, which I am sure will not be repeated. After much discussion and careful inquiry, the last Legislature passed a law permitting each regiment to adopt such uniforms as best suited their taste and convenience. This has

proved very satisfactory to the militia, and most of the regiments appeared in new uniforms, which were tasteful and appropriate.

Nearly one-half of the troops have served in the war. Their presence gives efficiency and precision to the force when on drill, and I cannot too highly commend the spirit of patriotism which induces these veterans to fill the ranks of our militia and to bear their share of the heavy expense which, notwithstanding the amount allowed by the State, all are obliged to incur who enlist in our volunteer militia.

There are now ninety-five companies of infantry, six of cavalry, and five batteries of artillery, fully equipped and ready for active duty.

Recognizing the important and honorable service rendered by the militia at the breaking out of the rebellion, and feeling, as I do most sincerely, that nothing should be done to weaken the attitude of the State, when compared with its former position, still it seems possible to reduce the force without seriously impairing its efficiency. To human eye there would seem to be no possible necessity for the active services of any large number of men, yet warned by the past, we should be

unfaithful to our trusts, if the State failed to be prepared for any and every emergency.

Our State taxes which were trifling comparatively before the war, are now heavy, and they will continue to be burdensome for a long time.

It should be the endeavor of all having the care of public affairs to reduce the expenses so far as it can be done without injury to the public service.

No one department can be greatly reduced without serious detriment; but by making a moderate reduction in several the aggregate saving will be large to the treasury.

After careful investigation and consultation with the Adjutant-General, whose large experience and sound judgment render his views in such matters worthy of high consideration, I am of the opinion that the appropriation for the support of the militia may be lessened nearly thirty thousand dollars, and leave the force in as fine condition in every respect, with the exception that the number of men attending the fall encampments will not be as large by about one thousand. The number of men entitled to compensation would then be nearly five thousand. This will leave the force as large as it was before the war; and there would

seem to be no necessity for an increase at this time.

The Adjutant-General has reduced the expenses of his department as far as it is possible until the record of the soldiers who served in the war is completed, which there is every reason to expect will be accomplished by the first of July next.

#### AID FOR THE SOLDIERS OF THE WAR.

The Act providing "State aid for our disabled soldiers and sailors, and their families, and the families of the slain," expires on the first day of January next. If this Act is renewed this session, it will save those embraced in its provisions from want and suffering next winter; for, unless this should be done, relief, in the common course of legislation, would not reach them until the season in which they most need help, has passed away. Some modifications of the Act may be made, by which the appropriation to carry out its provisions may be lessened considerably, without doing injustice to any one. Under the law now in operation the Commonwealth has disbursed to the soldiers of the war, and their families, more than six hundred thousand dollars annually.

It cannot be necessary to urge this claim. Its

appeal is to every sentiment of justice, of gratitude, and even to public policy. We should keep in remembrance the hour of our great peril, when these men and their families made their costly contributions to save the nation's imperiled life. Now it is our duty and our privilege, to make them the poor return of shielding them and their dependent relatives from absolute want. Remember that war is still a possibility, and any neglect shown those engaged in the last conflict would immeasurably increase the difficulty of filling our ranks in the future.

Notwithstanding the time that has elapsed since the close of the war, the work of the Surgeon-General's Department is still large, and it must continue to be so for some time to come, if we continue to aid our soldiers in obtaining their pensions, and if we attend to the numerous calls for the aid which they have received hitherto. The cost of this bears no comparison to the great benefits it confers on these veterans, and I have no hesitation in recommending its continuance.

I ask your attention to the reports of General Dale and Colonel Tufts, whose earnest devotion to the welfare of the soldiers and those for whom this department was established is well known to all.



## INTOXICATING LIQUORS.

The Act concerning the manufacture and sale of intoxicating liquors has now been in force for six months. Within this short period much has been done to stop the general sale of liquors; a large number of those who were selling under former laws having abandoned the open traffic, and many having ceased to sell altogether. The law has secured the acquiescence of the people generally, and there has been very little opposition in its execution so far as it closes the tippling shops. It appears, also, to have diminished another evil—the sale in small quantities to be used in families, where the inevitable result has always been to produce misery and crime.

The people of the State will not submit patiently to the restoration of the open bar, that relic of a less enlightened period, which has wrought the ruin of so many families, and brought to untimely graves thousands of the noblest and most generous spirits of the land. It is manifestly no longer in accordance with their character or wishes. There is indeed a wonderful change in the ideas and habits of the community, resulting from the general diffusion of intelligence, the discussion of the

use of intoxicating beverages, and the restraining influences of law. Every philanthropist should be encouraged to continue his labors when he sees such progress in public sentiment made in a single generation, in a matter so directly affecting the personal habits and social customs of the people. While the law, so far as it aimed to suppress common tippling, has thus been accepted, it has undeniably met with much opposition in other particulars. The discussion of the whole subject has been earnest; and to some extent already assumed the form of political action. Coming directly from the people, you can now understand fully the objections to the law, and the remedies necessary to remove them. As wise men, desiring the best interests of the State, and believing that its future greatness depends on the sobriety, intelligence and morality of its people, you will carefully inquire what measures are calculated to make the law satisfactory to all who really desire the best interests of society. All laws of any value must have at least the assent of the public, if not their earnest support. After so much thorough discussion, and with our present experience, it would seem to be possible, though difficult, for the Legislature to make such enact-

ments on this subject as will be in accordance with the spirit of the age; and will, in their administration, secure the cordial concurrence and coöperation of the community.

It should be regarded, gentlemen, as a privilege to be accepted willingly, that you have the opportunity to settle for the present, so far as legislation may, this great question. For the completion of this most desirable reformation, we must rely upon enlightened personal experience, and on the growing conviction that a custom from which so much evil comes, and which yields no good results, should be abandoned by all, and especially by those who hold positions of honor or influence.

From Colonel Brodhead, the State Agent, I learn that the authorities of the cities and large towns do not comply with the law in regard to the appointment of agents, with authority to sell spirituous and intoxicating liquors for medicinal and mechanical purposes. As this provision of the law now stands, it is entirely inadequate for this purpose, so far as it applies to these communities. If the public are to rely on the agencies for their supplies, some further provision must be made in order to meet this necessity.

I shall take the opportunity, at an early day, to

lay before you the report of Major E. J. Jones, Constable of the Commonwealth, (a most faithful officer,) detailing the operations of his force during the past year. This organization never stood higher in the public estimation, and a careful examination of the report will show that they have performed a great amount of difficult service, in a manner that should merit general approbation.

#### AGRICULTURAL MATTERS.

The season has been one of more than usual prosperity to the agricultural interest of the State, with some local exceptions arising from the gales and floods of the autumn. There has been for some years a growing conviction in the minds of the farming community that labor on the farm is less remunerative than labor in mechanical and other pursuits; that the same skill and intelligence applied to other kinds of business are sure to be rewarded with better results; that the farmer does not and cannot receive, under our present market system, his fair proportion of what the consumer has to pay for the products of the farm. Whether this conviction is well founded or not, it has exercised a powerful influence in leading young men to leave the farm; causing not only a notable

reduction in the population of our strictly rural towns, but also a depreciation of real estate in them. The markets of our principal cities being subject to municipal regulations, the freedom of such markets and of more direct trade and intercourse between the producer and the consumer may not come within the range of legislative control, but it is a legitimate subject of inquiry whether this most grievous obstacle to a greater agricultural prosperity can in any way be removed by legal enactment.

The system, adopted by the State, of encouraging the development of Agriculture through bounties to the agricultural societies, has, undoubtedly, accomplished much good, though the plan of permanent location which so generally prevails, has centralized and circumscribed the influence of the societies, now multiplied to the number of thirty; or more than two to each county. It may well be doubted if the interests of the Commonwealth will be promoted proportionally to the additional draft upon the treasury, by any increase of this number; and whether securing a more efficient and proper management of those already existing would not benefit the farming community more than any farther increase.

An appropriation was made by the last Legislature, of four hundred dollars, to be expended by the Board of Agriculture, in premiums for the best treatises on the science of road-making. At present there is among us no general system of laying out and constructing common roads; and the consequence is, that in most of our towns the streets and roads are narrow, circuitous and badly graded and drained. Among the outward indications of advancing civilization, good roads hold a prominent place. Nothing gives a town or village a more attractive appearance than wide highways and streets, well laid out and graded; and few things contribute more to the convenience and comfort of the people. I recommend a reconsideration of this subject, which is of increasing interest to all our thriving towns and villages.

#### THE LABOR QUESTION.

The condition of labor demands our earnest attention. The skill and energy which produce the material results which we witness everywhere should not be overlooked or forgotten. Though favorably located for commerce and manufactures, our position would be valueless but for the untiring industry which makes use of these

opportunities. Our future success in manufacturing depends upon the intelligence and faithfulness of our laborers.

Public policy, then, would justify special care of all their interests on the part of the Legislature. Accordingly, commissioners have examined the subject, and from their reports and suggestions have resulted laws intended for their benefit. It is to be hoped that whatever suggestions or requests may be made to you by this large class of our fellow-citizens, coming within the legitimate scope of legislation, may receive most careful and cordial consideration.

#### INDIANS OF THE COMMONWEALTH.

By the Act of the last Legislature, entitled "An Act to Enfranchise the Indians of the Commonwealth," that class of persons, held since the landing of the Pilgrims under political and civil disabilities, is endowed with equal civil rights, and henceforth every inhabitant of the Commonwealth, without distinction of race or color, is equal before the law. Until the passage of that Act the Indians of the Commonwealth, and people of color residing on Indian lands, though recipients of the liberal charities of the Commonwealth, were the

subjects of unjust civil and political proscriptions. And it is only at this late day that Massachusetts recognized citizenship, not guardianship, to be the right of every person, and the surest means of elevation and improvement, and of preparation for their future duties. Justice, so long delayed, is at length yielded to the Massachusetts Indian. Let us hope that justice, not charity, citizenship, not guardianship, will as soon as possible be conceded to the American Indian, and may the last relics of the prejudice and proscription, which have so long retarded the progress of these unfortunate people, be speedily removed.

All the Indians of the Commonwealth now enjoy full civil rights, and all except those of Marshpee and Gay Head are endowed with full political rights. The Act before referred to left those tribes under the political disabilities previously existing.

It is desirable for the good fame of the Commonwealth, and due to the Indians themselves, that these disabilities should be removed. The principal reason for not recognizing the full political rights of these tribes seems to have been a difference of opinion upon the question whether they should be made separate towns or whether they should be annexed to adjacent towns. In regard



to other Indians, scattered in small numbers in different localities, this question was easy of adjustment. But these two tribes, having each a larger population than any other, might, it was thought, be made separate municipalities.

The number of the Marshpee tribe, actually residing on the territory, is about three hundred; that of the Gay Head tribe is about one hundred and seventy. The policy of creating new towns, with so small a population, is at least doubtful, and this doubt is increased when we consider the burden which the cost of maintaining a town organization would lay upon so small a population, especially of the character of these people.

The peninsular condition of Gay Head seemed to make annexation to the adjoining town of Chilmark a matter of greater difficulty than in the case of Marshpee. But in both cases it may be worthy of the consideration of the Legislature whether it will not be better to leave them as they are, until the prejudice against color, born of slavery, and now rapidly disappearing, shall no longer be an obstacle to the incorporation of these people with the adjoining towns.

## COMMERCIAL AFFAIRS.

Our commerce, so essential to the prosperity of the State, and the honor, and even safety of the nation, is still depressed, notwithstanding the persistent energy of those engaged in this noble pursuit. With deep satisfaction, therefore, we perceive the indications that the nation is awaking to some proper appreciation of our condition as a commercial people. It is obvious to all that we are not fostering that great branch of national industry, the construction of a commercial marine, from which, in war, the nation has received such ready and powerful assistance on the ocean.

It is gratifying to see that Congress has appointed a committee to inquire into the causes of the present condition of this great interest; and how it has come to pass that the American flag has been almost driven from the sea; so that not an ocean steamer floats it, and foreign standards are borne from our ports by a large proportion of other sea-going vessels. From the earnest and faithful labors of this committee, and the fact that the President and two Heads of Departments have made express reference officially to this subject, we may expect early and favorable legislation

in its behalf; in which not only the seaboard States but the whole country is deeply concerned. The idea cannot too soon be abandoned by this nation, that the general government ought not to foster the commercial marine, *because* it is a local and limited interest. On the contrary, there is no one department of industry more completely national.

It does concern not only the people of the Atlantic States, but also every farmer of the Western prairie, and every other American citizen, that there be a commercial marine—a training-school for our brave seamen, who help to sustain the nation's honor and life in time of war. For, our entire history has shewed us that the legitimate, the economical school of the navy is the peaceful commercial ship.

The true policy would be, to expend some small portion of the large sum annually devoted to support the navy, in encouraging an interest which, in time of war, will furnish the seamen who are to man its vessels, and without whose aid they must remain idle in their docks. This topic is commended to your attention, that you may take such action as shall seem to you expedient.

## NATIONAL AFFAIRS.

We cannot forget that we belong to this great Union, made indissoluble by the events of the late war. The struggle for national existence has revealed to us our strength and the chief cause of our weakness. This cause has been removed, and no interest at war with human liberty now predominates in our land.

The throes of the mighty contest are still felt, but each day lessens their force, and soon they will have passed away forever.

The election of the Great Captain to the Presidency at once gave assurance of peace to the country. The hopes of the firmest friends of the incoming administration have been more than realized. The laws, so far as the General Government is concerned, are enforced; integrity prevails in all its departments, and the steady decrease of the national debt gives assurance of its ultimate redemption.

The final act, the Fifteenth Amendment to the Constitution, which will place all the people of this nation on an equality, politically, is nearly consummated. Its completion will add lustre to our name, by proclaiming to the world that no prej-

udice of race will prevent justice being done and equal rights accorded to the most oppressed and obscure in the land. It will give to the freedman the ballot, the only power that will effectually save him from abuse and wrong, and all laws affecting personal liberty and political rights will be substantially the same in every part of the Union.

Slowly but surely the great problem of the destruction of slavery is being demonstrated. From its ashes will arise a nobler civilization than has hitherto been known in human history. The people of the Old World, in their attempts to wrest from the hands of tyrants the liberties so long withheld, and for which they have sacrificed so much, are receiving from our history fresh impulse and new encouragement. Let us as a people do our part in bringing in the better and brighter day.

#### LENGTH OF SESSIONS.

Before I close you will permit me to bring to your attention the importance of using every effort to shorten our legislative sessions.

The people of the Commonwealth are manifesting increasing discontent at what they regard an unnecessary delay of the public business.

That one-half the year should be devoted to the enactment of laws, in an old and settled community, with so full a code of general laws, to them seems unjustifiable. Every one acquainted with public affairs, knows that there is an evil attendant on long sessions, aside from the heavy expense incurred.

Business matters affected by legislation cannot be arranged satisfactorily while there is an uncertainty as to the law regulating them. It were better, oftentimes, to endure a slight inconvenience from some real or supposed defect in a law, than to have it changed every year. It is obvious that general laws, affecting particular interests, should be enacted, so far as possible, that all alike may share the benefits and bear the obligations imposed.

A close adherence to this course, with earnest application at the beginning of the session, will enable you to bring your labors to an early close, for which you will, undoubtedly, receive the cordial commendation of your constituents.

It will be my pleasure to concur in all measures tending to this result, as well as every other that is likely to promote the best interests of the Commonwealth.

*Senators and Representatives:—*

Most of the subjects now laid before you, relate especially to our own Commonwealth. They vitally affect her future well-being—socially, morally and materially. Your action may stimulate the people to higher aims and nobler purposes, or it may retard their best efforts to elevate their own character and to sustain the honor of the State. Never in her history did Massachusetts have more occasion to be proud of her standing in the nation. Her sons, however widely scattered, turn to her with affection, recognizing that, in her laws, customs and institutions, the best instincts and highest hopes of her children are always cultivated and encouraged.

As far as possible let your legislation be such as to keep them here to enjoy the fruits of their fathers' labors, not so much in the wealth which may descend to them, as in the means of happiness which are open to every one, in the broad and liberal culture which surrounds them, and the incentives which induce to a preparation for that higher life which should be the hope and expectation of us all.







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